

THE UNITED STATES PATENT AND TRADEMARK OFFICE

RONALD D. SHINOGLA, ET AL

) Art Unit: Unassigned

Application No. 09/322,770

) Examiner: Unassigned

Issued: June 3, 1997

) Paper No. 13

For: METHOD AND STRUCTURE FOR
CONTROLLING AN APPARATUS;
SUCH AS A FUEL INJECTOR,
USING ELECTRONIC TRIMMING

Attorney Docket No. 87-146 R

Peoria, Illinois 61629-6490
October 28, 1999

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

ATTN: APPLICATION PROCESSING DIV.
SPECIAL PROCESSING AND CORRESPONDENCE BRANCH

PETITION UNDER 37 CFR § 1.182

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

On October 28, 1999 (Date)

Larry G. Cain

Attorney or Agent

Signature

Date: October 28, 1999

Applicants hereby petition to obtain the date received and serial number of the reissue patent application filed on May 28, 1999 entitled "Method And Structure For Controlling An Apparatus, Such As A Fuel Injector, Using Electronic Trimming".

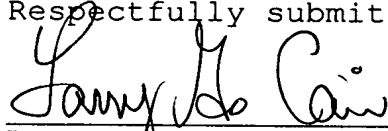
Filed herewith, under separate letter, are new drawing sheets 1-7 including Figures 1-10, a Declaration and Power of Attorney, and a copy of the Notice of Recordation of Assignment Document (copies attached). Please charge the petition fee of \$130.00 to our Deposit Account No. 03-1129.

Apparently Applicants inadvertently failed to send, temporary drawings consisting of copies of the original Figures described in the specification, i.e. Figures 1-10 as set forth in CFR 1.174. Applicants did, however, request that the original drawings be transferred from the original file. An affidavit (Paper No. 14) by Nancy J. Crater is enclosed setting forth the steps typically used when she prepares a reissue application for mailing to the United States Patent and Trademark Office. A new procedure has been outlined, that will be used as a check list, listing the necessary steps and required papers for filing a reissue application. An emphasis has been placed on the need for sending temporary drawings, i.e. a copy of the drawing(s) verses only requesting that the original drawings be transferred from the original file. A copy of the outlined procedure is attached.

Applicants contend that the omission of drawings was through error without any deceptive intent. But, was merle an oversight on behalf of the person(s) packaging the papers being submitted to file an application for reissue of United States Letters Patent No. 5,634,448. The mishap arose without any deceptive intent on the part of the applicants and those preparing and packaging the papers for submitting to the United States Patent and Trademark Office.

Applicant's Agent of Record hereby verifies that all statements made herein are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Larry G. Cain", is written over a horizontal line.

Larry G. Cain
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Caterpillar Inc.

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87-146R-petition to obtain date